

House Watch

A summary of today's House actions;
published daily when the House is in session.



6/26/08

MESSAGES FROM THE SENATE

[HB 6014](#)

(Hammon)

The bill (S-2) would amend Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to create "Ashleigh Iserman's Law", which would do the following:

- Prohibit the operation of personal watercraft beginning at sunset, rather than one hour before sunset.
- Raise the minimum age to operate a personal watercraft from 14 to 16, subject to certain exceptions.
- Revise the exceptions to the minimum age requirement, and raise the minimum age of a person to whom the exceptions apply from 12 to 14.
- Repeal the March 23, 2012, sunset on Part 802.

Currently, except as otherwise provided, a person under the age of 14 may not operate a personal watercraft on the waters of this State. A person who is at least 12 but younger than 14 may operate a personal watercraft if the person is accompanied solely by his or her parent or legal guardian; both the person and the parent or legal guardian have obtained a boating safety certificate; the personal watercraft is equipped with a lanyard-type engine cutoff switch, and the parent or legal guardian has the lanyard attached to his or her person, clothing, or personal flotation device; and the personal watercraft is designed to carry at least two people.

- The House concurred with the Senate substitute S-2 [RC 582: 83 yes, 24 no]

[HB 4343](#)

(Ebli)

House Bill 4343 (S-1) would amend Part 327 (Great Lakes Preservation) of the Natural Resources and Environmental Protection Act (NREPA) to do the following:

- Require the Department of Environmental Quality (DEQ) to notify various local entities by e-mail if a proposed large-quantity withdrawal fell into a particular category.
- Allow the notified entities to form a water resources assessment and education committee to assess trends in water use in the vicinity of the withdrawal and educate water users.
- Allow a local government official participating on a water users committee to create an ad hoc

subcommittee of residents to give him or her information and advice on water resources, water use, and trends in water use within the local unit.

-- Require the DEQ, upon authorizing a withdrawal falling into a particular category, to give all registrants, permit holders, and local government officials within the watershed notice of the withdrawal and of the authority to establish a water users committee.

- The House concurred with the Senate substitute S-1 [RC 583: 92 yes, 14 no]

HB 5065

(McDowell)

House Bill 5065 (S-1) would amend Part 327 to create a rebuttable presumption that a proposed withdrawal would not cause an adverse resource impact, under certain circumstances; and exempt specified withdrawals from the requirements of Part 327.

- The House concurred with the Senate substitute S-1 [RC 584: 106 yes, 0 no]
- IE was ordered

HB 5066

(Meadows)

House Bill 5066 (S-1) would amend Part 327 to do the following:

-- Require a withdrawal registrant or permit holder to certify that he or she had reviewed environmentally sound and economically feasible water conservation measures.

-- Require the DEQ, by March 31, 2009, to prepare and post on its website a set of generic water conservation measures applicable to all people making large-quantity withdrawals.

-- Require the DEQ to review water conservation measures submitted by a specific water user's sector and approve them as a replacement for the generic measures for that sector.

-- -- Require the DEQ, upon receiving a registration falling into a particular category, to notify all other registrants and permit holders using water from the same source, and require them to review and consider implementing water conservation measures.

- The House concurred with the Senate substitute S-1 [RC 585: 95 yes, 11 no]
- IE was ordered

HB 5067

(Brown)

House Bill 5067 (S-1) would amend Part 327 to do the following:

-- Require a property to submit to the DEQ a request for a site-specific review of a proposed withdrawal, if the assessment tool (developed under House Bill 5069 (S-1)) determined that the withdrawal fell into a particular category.

-- Allow a property owner to request a site-specific review if the assessment tool determined a proposed withdrawal fell into a particular category.

-- Require the DEQ to complete a site-specific review within 10 days of receiving the request.

-- Require the property owner to obtain a water withdrawal permit if the DEQ determined in a site-specific review that a withdrawal fell into a particular category with capacity of more than 1.0 million gallons per day to supply a common distribution system.

-- Allow a property owner to request an interim site-specific review before the assessment tool's

implementation date, and require an interim review under certain circumstances.

- Require the DEQ to develop a protocol for the collection of stream or river flow measurements by people other than the Department in the administration of Part 327.

- Allow the DEQ to use the collected data in conducting site-specific reviews, making water withdrawal permit decisions, issuing permits under the Safe Drinking Water Act, updating the assessment tool, and in other actions.

- Allow the DEQ to establish a program to train and certify individuals in the measurement collection, and require the Department to charge a fee to reimburse it for the program's cost.

In addition, the bill would repeal a section allowing a person who intends to make a withdrawal for which a permit is not required to petition the DEQ for a determination that the withdrawal is not likely to cause an adverse resource impact.

- The House concurred in the Senate substitute S-1 [RC 586: 84 yes, 22 no]

HB 5069

(Warren)

House Bill 5069 (S-1) would amend Part 327 to do the following:

- Revise the prohibition against diverting water from the Great Lakes Basin.

- Revise a requirement that certain large-quantity water users obtain a water withdrawal permit from the DEQ (as described below).

- Beginning January 1, 2009, require a water withdrawal permit applicant to certify that he or she was in compliance with environmentally sound and economically feasible water conservation measures.

- Require the DEQ to issue a water withdrawal permit if it determined that the proposed withdrawal would not violate public or private rights and limitations imposed by Michigan water law or other Michigan common law duties.

- Revise requirements for a property owner to register with the DEQ before making a large-quantity withdrawal.

- Require the DEQ to develop and implement an internet-based water withdrawal assessment tool that could be used to determine if a proposed withdrawal was likely to cause an adverse resource impact.

Currently, except as otherwise provided, the following people must obtain a water withdrawal permit before making the withdrawal:

- A person who develops withdrawal capacity to make a new or increased withdrawal of over 2.0 million gallons per day from the waters of the State, other than the Great Lakes and their connecting waterways, to supply a common distribution system.

- A person who develops withdrawal capacity to make a new or increased withdrawal of more than 5.0 million gallons per day from the Great Lakes and their connecting waterways to supply a common distribution system.

Under the bill, except as otherwise provided, the following people would have to obtain a permit before making a withdrawal:

- A person who developed withdrawal capacity to make a new or increased withdrawal of over 2.0 million gallons per day from the waters of the State to supply a common distribution system.

- A person who proposed a new or increased withdrawal of more than 1.0 million gallons per day to supply a common distribution system that a site-specific review determined fell into a particular category.

-- A person who proposed a new or increased withdrawal that would result in an intrabasin transfer of more than 100,000 gallons per day average over any 90-day period.

- The House concurred with the Senate substitute S-1 [RC 587: 84 yes, 22 no]
- IE was ordered

HB 5073 (Kathleen Law)

Provide DEQ with rule-making authority for water withdrawals.

- The House concurred with the Senate substitute S-1 [RC 588: 96 yes, 10 no]
- IE was ordered

FINAL PASSAGE

SB 1239 (Brown)

Senate Bill 1239 would require, beginning in 2009, that a county decide every five years (rather than every two years) whether to audit principal residence exemptions or instead have the state conduct audits. A participating county would then have to participate in five annual audit periods.

- SB 1239 advanced to 3rd Reading
- Corriveau substitute H-1 adopted
- SB 1239 was passed [RC 578: 107 yes, 0 no]
- IE was ordered

SB 370 (Richardville)

Senate Bill 370 (S-2) would amend the handgun licensure Act to do the following:

- Repeal Section 9, which requires a person within Michigan who owns or comes into possession of a pistol to present it for safety inspection to the commissioner or chief of police of the city, township, or village where he or she resides.
- Require a person licensed to purchase a pistol to return two copies of a completed license to a licensing authority within 10 days after the date the pistol was purchased (as currently required) or obtained.
- Require an individual who purchased a pistol to forward two copies of the sales record to the police department of the city, village, or township, or to the sheriff of the county, in which the purchaser resided within 10 days following the purchase; and require the police department or sheriff to forward a copy to the State Police within 48 hours after receiving the copies.
- Allow a licensee to return the copies of the license to the licensing authority, and allow a purchaser to forward copies of the sales record to the police or sheriff, in person or by first-class or certified mail sent within the 10-day period.
- Provide that a licensee who failed to return copies of the license or an individual who failed to forward copies of the sales record would be

responsible for a State civil infraction and could be fined up to \$250.

-- Require the court to notify the State Police of a State civil infraction determination and to notify the concealed weapons licensing board that issued the license if the infraction involved an individual with a concealed weapon license.

-- Allow a licensee to carry, use, possess, and transport the pistol only while he or she was in possession of his or her copy of the license, for 30 days beginning on the date of purchase.

-- Require licensing authorities or police departments and county sheriffs with the ability to enter data electronically into the pistol entry database to enter license or sales record information required by the State Police into the database, and require those without the ability to enter data electronically to provide that information to the State Police.

-- Require licensing authorities or police departments and county sheriffs to continue to provide to the State Police pistol descriptions required under Section 9 of the Act. -- Allow licensees to obtain a copy of the information in the database to verify its accuracy.

-- Prohibit a person from not possessing a pistol in this State without first having obtained a license for it.

- Committee substitute H-1 not adopted
- Sheltroun substitute H-4 adopted
- Horn 2A adopted
- SB 370 advanced to 3rd Reading
- SB 370 was passed [RC 577: 95 yes, 12 no]
- IE was ordered

SB 836

(Van Woerkom)

The bill would revise the terms under which a district could receive state school aid for a non-public school student or for a home-schooled student enrolled in courses provided by the district. It would require that requests for instruction, and the response to such requests, be done in writing, and also allow students to seek instruction beyond the host school district.

- Committee substitute H-1 adopted
- SB 836 advanced to 3rd Reading
- SB 836 was passed [RC 579: 106 yes, 0 no]
- IE was ordered

SB 346

(Van Woerkom)

The bill (H-1) would require a person whose dog bites another person to provide certain information or face criminal penalties.

- Committee substitute H-1 adopted
- SB 346 advanced to 3rd Reading
- SB 346 was passed [RC 580: 96 yes, 11 no]
- IE was ordered

SB 754**(Kahn)**

The bill would create the "Veterans Welcome Home Act" to require the Department of Labor and Economic Growth to include a list of all state-funded veterans' service organizations (VSOs) in the welcome home letter that it sends to returning veterans. The list would be ordered by the amount of state funding, with the VSO that received the most state funding listed first and the remaining organizations listed in descending order.

- SB 754 advanced to 3rd Reading
- SB 754 was passed [RC 581: 106 yes, 0 no]
- IE was ordered

SB 150**(Allen)**

The bill would amend the Income Tax Act to allow a taxpayer to claim a credit for the value of food items donated to homeless shelters, food kitchens, food banks, and similar entities. The bill would apply to the 2008 tax year and beyond. The food donations would be included in the credit now permitted for cash contributions to these organizations. The act permits a taxpayer to credit 50 percent of cash contributions; the bill would allow a credit for 50 percent of the sum of cash contributions and food contributions. The current limits on the credit would remain the same: \$100 for a single filer and \$200 for joint filers.

- Committee substitute H-1 adopted
- SB 150 advanced to 3rd Reading
- SB 150 was passed [RC 593: 108 yes, 0 no]
- IE was ordered

HB 5938**(Sheltrown)**

MBT: House Bill 5938 would amend the definition of "tax rate" in Section 429 to correct a reference to a section in the Income Tax Act.

- D. Acciavitti-1 not adopted
- HB 5938 advanced to 3rd Reading
- HB 5938 was passed [RC 594: 108 yes, 0 no]
- IE was ordered

HB 5746**(Accavitti)**

The bill would amend the Michigan Renaissance Zone Act to do the following:

· Require that the State Administrative Board receive a favorable recommendation from both the Michigan Strategic Fund Board and the Commission of Agriculture before creating a new renaissance zone for renewable energy.

Note, however, that Public Act 117 of 2008 (Senate Bill 885), effective April 29, 2008, has already added the requirement that the Commission of Agriculture recommend the creation of a renewable energy renaissance zone, but only if the proposed facility uses agricultural crops or

residues, or processed products from agricultural crops as its raw material source. The current bill does not limit the requirement to facilities involving these materials. Before the adoption of Public Act 117, effective April 29, 2008, only a recommendation by the Michigan Strategic Fund Board was required. The current requirement that the city, village, or township (or combination thereof) in which the renaissance zone would be located consent to its creation would be retained.

· Require that at least six of the ten additional renewable energy renaissance zones that can be created under the Renaissance Zone Act be designated for facilities that use cellulosic materials for energy production. The term "cellulosic materials" does not appear to be defined in the bill or current law. However, the term "cellulosic materials" presumably refers to plant materials such as corn stover (the leaves and stalks left in the field after harvesting), switchgrass (a perennial prairie grass), and other plant materials from which ethanol can be produced as an alternative to ethanol derived from corn.

- Committee substitute H-3 adopted
- HB 5746 advanced to 3rd Reading
- HB 5746 was passed [RC 595: 107 yes, 1 no]
- IE was ordered

HB 5752

(Clemente)

The bill would amend the Michigan Strategic Fund Act to require the Michigan Strategic Fund to identify, publish, and market an inventory of prime sites for the "colocation" of renewable fuel plants with existing facilities, including, but not limited to, pulp mills, power plants, food processing plants, or other industrial facilities.

- HB 5752 advanced to 3rd Reading
- HB 5752 was passed [RC 596: 107 yes, 1 no]
- IE was ordered

HB 5987

(Hammel)

The bill (H-2) would allow, after a jail overcrowding emergency had been declared, the bond to be reduced for eligible prisoners who have not yet been sentenced.

- Committee substitute H-2 adopted
- Hammel amendment adopted
- Schuitmaker amendment adopted
- HB 5987 advanced to 3rd Reading
- HB 5987 was passed [RC 597: 92 yes, 15 no]
- IE was ordered

HB 5992

(Ball)

Under the Food Law, local health departments that meet specified program criteria have the responsibility for enforcing food service establishment requirements. An applicant for a food service establishment license must pay certain fees to the local health department, along with an additional state license fee. The recent update of the Food Law, Public Act 113 of 2007, raised the state license fee for most applicants. However, under Section 3119(4) of the Food Law, charitable, religious, fraternal, service, civil, or other non-profit organizations with tax exempt status under Section 501(c)(3) of the Internal Revenue Code remain exempt from having to pay the additional state license fee (except for a \$3 vending machine location fee).

As amended (H-1) , House Bill 5992 would:

- Exempt schools along with specified nonprofit organizations with tax exempt status under Section 501(c)(3) from the state licensing fee.
- Specify that the governing board of a local health department or authority may "fix, revoke, or amend" the fee paid to the local health department "as further authorized and described under Section 2444 of the Public Health Code." The apparent effect of this language would be to make clear that the governing body of a local health department has the authority to decide whether a nonprofit organization or school must pay the local fee, and, if so, in what amount.

- Committee substitute H-1 adopted
- HB 5992 advanced to 3rd Reading
- HB 5992 was passed [RC 598: 108 yes, 0 no]
- IE was ordered

HB 5951

(Sak)

The bill would amend Section 3119 of the Food Law of 2000 (MCL 289.3119) to set a maximum fee that could be charged by local health departments for the licensing, inspection, and certification of school food service authorities recognized by the Michigan Department of Education. Until recently, schools were exempt from local and state fees under the Food Law, but had to comply with all other applicable requirements. In a recent update of the Food Law, Public Act 113 of 2007, the school exemption was eliminated.

Under House Bill 5951 (H-3), the local fees paid by schools could be no more than \$100 per year for a "main kitchen" and no more than \$50 per year for each "satellite" kitchen within a district.

- Committee substitute H-1 adopted
- Caswell amendment not adopted
- HB 5951 advanced to 3rd Reading
- HB 5951 was passed [RC 599: 60 yes, 48 no]
- IE was ordered [RC 600: 74 yes, 34 no]

HB 6112

(Miller)

House Bill 6112 would create a new act known as the Corrections Officer Compulsory Arbitration Act which would apply to corrections officers under the authority of a county

sheriff. It would provide a binding compulsory arbitration procedure for the resolution of certain disputes.

- Miller amendment adopted
- Miller amendment adopted
- Agema amendment not adopted
- Agema amendment not adopted
- HB 6112 advanced to 3rd Reading
- HB 6112 was passed [RC 601: 78 yes, 29 no]
- IE was ordered

SB 218

(Basham)

The bill would amend the Plant Rehabilitation and Industrial Development Act, commonly known as PA 198, under which property tax abatements can be granted by local units of government to new and speculative buildings and to replacement facilities. The bill would put into the statute a general exception that would allow a facility located in an industrial development district to qualify for a property tax abatement even though certain statutory deadlines had not been met, as long as the facility met other criteria of the act and had received written approval from the board of the Michigan Strategic Fund and from the State Tax Commission.

- Committee substitute H-1 adopted
- SB 218 advanced to 3rd Reading
- Meisner substitute H-2 adopted
- SB 218 was passed [RC 602: 106 yes, 2 no]
- IE was ordered

HB 5934

(Coulouris)

House Bill 5934 would add a new section to the Uniform Commercial Code (MCL 440.9501a) to create an expedited process by which a financing statement naming a public officer or his or her spouse as a debtor could be terminated. "Public officer" would mean an individual who is or was employed by the state, the federal government, or a local unit of government (which would include a county, township, city, village, court, or other authority).

- Coulouris substitute H-2 adopted
- HB 5934 advanced to 3rd Reading
- HB 5934 was passed [RC 603: 108 yes, 0 no]
- IE was ordered

HB 5935

(Coulouris)

House Bill 5935 would amend the Code of Criminal Procedure (MCL 777.14g) to specify that filing a false affidavit of fraudulent financing statement would be a Class E felony against the

public trust with a maximum term of imprisonment of five years. The bill is tie-barred to House Bill 5934.

- HB 5935 advanced to 3rd Reading
- HB 5935 was passed [RC 604: 108 yes, 0 no]
- IE was ordered

HB 5534 (Tobocman)

House Bill 5534 would amend the Michigan Penal Code (MCL 750.248 and 750.249) to require in a situation in which a person was convicted of 1) making, altering, forging, or counterfeiting a deed, discharge of mortgage, or other real estate document, or 2) uttering or publishing a false, forged, altered, or counterfeit deed, discharge of mortgage, or other real estate document, (or for any lesser included offense) that the court enter an order indicating the document is invalid and that a copy of the invalid document and a certified copy of the court order be recorded in the office of Register of Deeds of any county in which the subject property (lands or real estate) was located. In addition, if the invalid document had been previously recorded, the prosecutor would have to provide the court with the liber and page number or other unique identifying reference number of the invalid document, which would have to be included in the order. The register of deeds would have to make reference to the liber and page number or unique identifying reference number of the invalid document in the index of the recorded documents. Any recording fees incurred under this subsection would have to be paid as ordered by the court. Any recording fees incurred with recording a copy of the invalid document or court order would be paid as ordered by the court. Further, the bill would specify that these provisions would not apply to a scrivener's error.

- Committee substitute H-1 adopted
- HB 5534 advanced to 3rd Reading
- HB 5534 was passed [RC 605: 108 yes, 0 no]
- IE was ordered

SB 1380 (Allen)

The bill would amend Chapter 8a (21st Century Investment Programs and Activities) of the Michigan Strategic Fund Act to do all of the following:

- Allow the Michigan Strategic Fund (MSF) to create and operate a Centers of Energy Excellence Program to promote the development, acceleration, and sustainability of "energy excellence sectors" in Michigan.
- Allow the MSF board to enter into agreements with "qualified entities" for the designation and operation of a center of energy excellence.
- Allow the MSF board to spend up to \$45.0 million from the 21st Century Jobs Trust Fund appropriations on the Centers of Energy Excellence Program.
- Allow grants for the Program to be awarded only to for-profit companies for certain purposes.
- Require at least 50% of the funds allocated for the Program to be used to match foundation funding, Federal funding, or international investments.
- Prohibit more than 15% of any grant from being used for administrative costs or overhead.

- Require the MSF board to establish an application evaluation process and appoint a committee to assist in reviewing applications.
- Specify factors the MSF board would have to consider in determining whether to enter into an agreement with a qualified entity.
- Specify information that an agreement would have to include.
- Allow the MSF board to select a centers manager to assist in the administration of the Program.
- Specify the centers manager's responsibilities.
- Reduce the minimum expenditure the commercialization board must authorize in fiscal year (FY) 2008-09 through FY 2011-12 for competitive edge technology grants and loans.
- Prohibit the MSF or its board from appointing any person to a review committee if he or she had a conflict of interest with any potential vendor.

"Energy excellence sectors" would mean new and developing industry sectors in the energy field in Michigan where the MSF has determined the State has a competitive advantage and there are barriers to the commercialization of technology within the new and developing industry sector.

"Energy field" would mean alternative energy technology, energy efficiency technology, technologies that contribute to energy security and independence, other advanced energy technologies, or water technology related to the development of energy excellence sectors.

- SB 1380 advanced to 3rd Reading
- SB 1380 was passed [RC 606: 102 yes, 6 no]
- IE was ordered

SB 668

(Hardiman)

Senate Bill 668 would permit a judge to suspend parenting time if a petition to terminate parental rights were filed, and would delete provisions for the automatic suspension of parenting time. The bill would also require the family court, before ordering the termination of parental rights, to determine that termination was in the child's best interests.

- SB 668 advanced to 3rd Reading
- SB 668 was passed [RC 607: 108 yes, 0 no]
- IE was ordered

SB 669

(Jansen)

Senate Bill 669 would do all of the following:

- * Require the family court, at a permanency planning hearing for a child, to obtain the child's views regarding the permanency plan, in an age-appropriate manner.
- * Permit, rather than require, the court to order the termination of parental rights if it determined that a child should not be returned to his or her parents.
- * Require the court to order the termination of parental rights if a child had been in foster care for 15 of the most recent 22 months, except under certain circumstances.
- * Permit the court to appoint a guardian for a child as an alternative placement plan, if termination of parental rights were not initiated.

* Require the court to order the Department of Human Services (DHS), if a child were placed in a guardian's or proposed guardian's home, to conduct a criminal record check and central registry clearance within seven days, and a home study within 30 days. If a home study has been performed within the immediately preceding year, a copy of that home study would need to be submitted to the court.

*Require the court review a guardianship for a child not later than one year after the guardian is appointed; it could review a guardianship anytime it considers necessary.

* Require the court to terminate or revoke a guardianship if it found that continuation of the guardianship was not in the child's best interests.

Under the bill, the court could, on its own motion, or on petition from the Department of Human Services, or the child's lawyer guardian ad litem, hold a hearing to determine whether a guardianship appointed under the Code could be revoked. A guardian could petition the court for permission to terminate the guardianship. A petition could include a request for appointment of a successor guardian.

After notice and hearing on the petition for revocation or permission to terminate guardianship, if the court finds by preponderance of the evidence that continuation of the guardianship is not in the child's best interests, the court could revoke or terminate the guardianship, appoint a successor guardian or restore temporary legal custody to the Department of Human Services.

- Committee substitute H-1 adopted
- V. Smith amendment adopted
- SB 669 advanced to 3rd Reading
- SB 669 was passed [RC 608: 108 yes, 0 no]
- IE was ordered

SB 670

(Jacobs)

The bills (SBs 668-672) would amend the Juvenile Code (MCL 712A.13b et al.) to revise provisions concerning the placement of children in foster care:

Senate Bill 670 would require the child placing agency to notify the court with jurisdiction over the child and the child's lawyer guardian ad litem of the change in placement. The bill would specify that the notice would not affect the department's placement discretion. The notice would have to include the reason for the change in placement, the number of times the child's placement had been changed, whether or not the child would be required to change schools, and whether or not the change would separate or reunite siblings or affect sibling visitation. The bill would also permit any of the required notices to be given by electronic means as agreed by DHS and the court with jurisdiction over the child.

- SB 670 advanced to 3rd Reading
- SB 670 was passed [RC 609: 108 yes, 0 no]
- IE was ordered

SB 671

(Kahn)

Senate Bill 671 would specify that reasonable efforts to finalize an alternate permanency plan could be made concurrently with reasonable efforts to reunify the child with the family.

Currently, the juvenile code requires the court to hold periodic review hearings for a child under the court's jurisdiction. In addition, the court is required to determine the extent of progress toward mitigating the conditions that caused the child to be placed or to remain in foster care, and determine the continuing necessity and appropriateness of the child's placement.

- Committee substitute H-1 adopted
- SB 671 advanced to 3rd Reading
- SB 671 was passed [RC 610: 108 yes, 0 no]
- IE was ordered

SB 672

(Jansen)

Senate Bill 672 would permit the court to appoint a guardian for a child who remained in placement following the termination of parental rights, if the court determined that such an appointment was in the best interests of the child. The court could not appoint a guardian without the written consent of the Michigan Children's Institute (MCI) superintendent. The MCI superintendent would be required to consult with the child's lawyer guardian ad litem when considering whether to grant written consent...

- Committee substitute H-1 adopted
- V. Smith-2 adopted
- SB 672 advanced to 3rd Reading
- SB 672 was passed [RC 611: 108 yes, 0 no]
- IE was ordered

SB 846

(Brown)

Senate Bill 846 (S-2) would create the "Divestment from Terror Act" to do the following: -- Require a fiduciary (e.g., the State Treasurer with respect to various funds and retirement systems, or a community college board) to make its best efforts to identify all companies in which it had holdings that did business with or were located in a "state sponsor of terror", i.e., "scrutinized companies", and create a list of those companies. -- Within 15 months after a company most recently appeared on a fiduciary's list, require the fiduciary to sell, redeem, divest, or withdraw all of the securities of the company if it continued to have scrutinized active "business operations" (engaging in commerce with a state sponsor of terror). -- Except for indirect holdings in actively managed investment funds, prohibit a fiduciary from acquiring securities of companies on its list that had active business operations. -- Require a fiduciary to perform due diligence to prevent investment in any private equity fund invested in a scrutinized company with active business operations in a state sponsor of terror. -- If the manager of a publicly traded, actively managed fund in a fiduciary's portfolio created a similar fund not associated with scrutinized active business operations, encourage the fiduciary to replace its existing investments with investments in the new fund. -- Require the Department of Treasury to collect and publish on its website information regarding investments under the proposed Act, as well as the progress made in preventing new investment in scrutinized companies with active business operations in a state sponsor of terror and replacing existing investments. -- Exempt a fiduciary from any statutory or common law obligation that conflicted with the proposed Act. --

Provide immunity from liability for actions taken to comply with the proposed Act. -- Require a fiduciary to follow proposed divestment criteria in the Public Employee Retirement System Investment Act if a scrutinized company did business with the government of Sudan or Iran.

- SB 846 discharged from committee
- Knollenberg substitute H-1 adopted
- SB 846 advanced to 3rd Reading
- SB 846 was passed [RC 612: 106 yes, 0 no]
- IE was ordered

MOTIONS AND RESOLUTIONS

HCR 90 (Dean)

A concurrent resolution approving a decrease and subsequent increase in Total Project Cost and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Management and Budget State Facility Preservation Projects, Phase I and Phase II, Group E, Special Maintenance Projects.

- HCR 90 discharged from committee
- HCR 90 was adopted [RC 589: 61 yes, 45 no]

HCR 91 (Simpson)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Egeler Correctional Facility Fire Safety Improvements.

- HCR 91 discharged from committee
- HCR 91 was adopted [RC 590: 70 yes, 37 no]

HCR 92 (Caul)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Central Michigan University relative to the Central Michigan University Education and Human Services Building.

- HCR 92 discharged from committee
- HCR 92 was adopted [RC 591: 105 yes, 2 no]

HCR 93 (Checks)

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Board

of Governors of Wayne State University relative to the Wayne State University Engineering Development Center.

- HCR 93 discharged from committee
- HCR 93 was adopted [RC 592: 84 yes, 23 no]

HR 155

(Sak)

A resolution to memorialize the Congress of the United States to enact the Hearing Aid Assistance Tax Credit Act.

- Discharged from committee
- Passed temporarily